

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

FEB 18 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Lee Roy Alejandrez

PRINCIPAL

Case Number:

YOB: 1994

M-18-0349 -M

United States

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 17, 2018 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Lorenzo Alberto-Zepeda, a citizen of El Salvador, along with three (3) other undocumented aliens, for a total of four (4), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Fronton, Texas to the point of arrest near Roma, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On February 17, 2018, a still camera activation alerted Border Patrol Agents to a group of suspected undocumented aliens at the "Fronton Cemetery" in Fronton, Texas. This area is documented as a frequent crossing for illegal aliens due the close proximity of the United States and Mexico border.

Shortly thereafter, a Border Patrol aerostat observer gained visual of four subjects at the cemetery. The observer then advised that the subjects at the cemetery were approached by an SUV type vehicle which they boarded.

I declare under penalty of perjury that the statements in this complaint are true and correct. Executed on February 18, 2018.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to
and attested to telephonically per Fed. R. Cr. P.

4.1, and probable cause found on:

/S/ David Bernal III

Signature of Complainant

Sworn to before me:

February 18, 2018

4:18 p.m.

Date

at McAllen, Texas

City and State

Peter E. Ormsby

U. S. Magistrate Judge

Name and Title of Judicial Officer

Peter E. Ormsby
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18-0349-M

RE: Lee Roy Alejandrez

CONTINUATION:

The observer continued to maintain visual of the vehicle as it drove away to a nearby residence. The aerostat observer advised ground agents that the vehicle was only there for a short time and departed. He further stated that the vehicle was traveling north on farm-to-market (FM) road 650 towards Expressway 83.

A mobile agent was able to observe the SUV being called out by the aerostat observer on FM 650. The agent positioned himself behind the SUV and activated his emergency equipment. However, the SUV failed to yield to the agent's emergency lights and sped away at speeds of up to 70 miles per hour. The agent followed the vehicle until it came to a stop when it crashed into a carport and a fence of a residence.

When the vehicle came to a stop the driver and four passengers exited the vehicle and attempted to flee. After searching the area, agents were able to apprehend five subjects. Agents identified themselves as Border Patrol Agent and conducted an immigration inspection. The driver was identified as Lee Roy Alejandrez, a United States Citizen. The four passengers were determined to be illegally present in the United States.

All subjects were arrested and transported to the Border Patrol station.

PRINCIPAL STATEMENT:

Lee Roy Alejandrez, was read his Miranda rights and did not agree to answer questions without an attorney present.

MATERIAL WITNESS:

Lorenzo Adonai ALBERTO-Zepeda, a citizen of El Salvador, was read his Miranda Rights and agreed to provide a statement without an attorney present.

ALBERTO stated his family made his smuggling arrangements and were to pay 1,000 USD once he was smuggled to Roma, Texas. ALBERTO stated he illegally entered the United States with four other subjects by rafting across the river. Once in the United States the group received instructions to walk straight to the street where a vehicle would pick them up. ALBERTO indicated that when the group arrived to the pickup location they saw a vehicle drive slowly and heard the driver say "piquele" (hurry up). ALBERTO stated they boarded the vehicle and quickly ducked down inside. ALBERTO further stated that after they boarded they were quickly stopped by Border Patrol.